United Nations A/64/740–S/2010/176

General Assembly
Security Council

Distr.: General
9 April 2010

Original: English

General Assembly
Sixty-fourth session
Agenda item 14
Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-fifth year

Identical letters dated 7 April 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the annexed four statements of the Ministry of Foreign Affairs of Georgia concerning the tenth round of the Geneva talks, held on 29 and 30 March 2010; the establishment of the trade mission of the Russian Federation on the occupied territory of Georgia; the construction-assemblage works of heliports on Georgia's occupied territories; and the ratification of the agreements on "joint efforts for the protection of the so-called border" between Russia and the Sokhumi and Tskhinvali proxy regimes (see annex I-IV).

I would be grateful if the present letter and its annexes could be circulated as a document of the sixty-fourth session of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Alexander **Lomaia**
Ambassador
Permanent Representative

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Annex I to the identical letters dated 7 April 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the tenth round of the Geneva talks, held on 29 and 30 March 2010

The tenth round of the Geneva talks was held on 29 and 30 March 2010, where the issues of security and stability in Georgia's occupied Abkhazia and Tskhinvali regions and the safe and dignified return of the internally displaced persons and refugees to the places of their habitual residence were discussed. Meetings of the two working groups were held, in which participants took part in an individual capacity. Deliberations were moderated by the United Nations, the European Union and the Organization for Security and Cooperation in Europe and attended by participants from Georgia, the United States and the Russian Federation. The Secretary-General's recently appointed representative to Georgia, Antti Turunen, attended the discussions for the first time. The Head of the provisional administration of the former South Ossetian Autonomous District, Dimitri Sanakoev, and the Chairman of the Government of the Autonomous Republic of Abkhazia, Giorgi Baramia, took part in the tenth round of the Geneva talks. Representatives of the proxy regimes from Tskhinvali and Sokhumi also participated in the working groups.

The Geneva discussions started with two information sessions on 29 March. During these meetings the representatives of the Office of the United Nations High Commissioner for Refugees provided information on the registration of the refugees and internally displaced persons and the "go-and-see" visits to the places of previous habitual residence. The Georgian side welcomes such information sessions and expects that this practice will continue during the forthcoming rounds as well. Particular importance needs to be attached to the information session on the monitoring of the human rights violations in the occupied territories. During this session, participants will listen to the representatives of various international organizations and consider recommendations on ways to improve human rights protection in the occupied regions.

On 30 March, discussions were held within the two working groups. Unfortunately, no results were reached this time because of the rigid position of the representatives of the Russian Federation and its proxy regimes. Georgian participants once again raised the issue of the full implementation of the 12 August ceasefire agreement and the unconditional withdrawal of the Russian forces from the occupied regions of Georgia.

Moscow and its proxy regimes in Tskhinvali and Sokhumi continue to block the document of the Co-Chairs on the non-use of force and international security arrangements. The Georgian side welcomes this document despite its minimal content and believes that it represents a step in the right direction, which will allow the development of an effective international mechanism contributing to the fulfilment of the obligations under the 12 August ceasefire agreement.

Participants from Russia once again voiced their well-known positions on the unacceptability of the presence of international missions on the occupied territories,

inadmissibility of the monitoring of the human rights violations and impossibility of unimpeded access of the humanitarian cargoes. These positions further distance Moscow from the views of the international community.

Participants of the tenth round of the Geneva Talks discussed the necessity to resume the full-fledged functioning of the incident prevention and response mechanisms. The incident prevention and response mechanism related to the Tskhinvali region has not been working since October 2009, whereas the effective participation of the Organization for Security and Cooperation in Europe in this mechanism is not yet possible due to the incomprehensible position of Moscow and the Tskhinvali proxy regime. Discussions further focused on improvement of the effectiveness of the incident prevention and response mechanisms by carrying out joint visits and intensifying the exchange of information. However, the prospects of these elements materializing remain minimal at this stage due to the negative position of Moscow and its proxy regimes.

It should be especially noted that Moscow's statements during the talks were particularly threatening and aggressive.

At the session of the second working group, participants continued to discuss the document on the joint undertakings proposed by the Co-Chairs. This document envisages a combination of the measures aimed at ensuring the safe and dignified return of the refugees and internally displaced persons to the places of their habitual residence. This time, protection of the human rights and the go-and-see visits were discussed in detail. Moscow and its proxy regimes once again tried to politicize the issue in order to block any opportunity of agreement.

Representatives of Moscow and the proxy regimes continued to question the fundamental right of the refugees and internally displaced persons to return to their homes in safety and dignity. This approach indicates clearly that Moscow carries on with its decade-old policy of impeding the process of internally displaced person return.

Participants agreed to hold the eleventh round of the Geneva talks on 8 June 2010.

Tbilisi, 31 March 2010

Annex II to the identical letters dated 7 April 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on establishment of the trade mission of the Russian Federation on the occupied territory of Georgia, in the so-called "Republic of Abkhazia"

On 31 March 2010, the Government of Russia issued the order about establishment of the trade mission of the Russian Federation on the occupied territory of Georgia, in the so-called "Republic Abkhazia".

The aforesaid fact is yet another gross violation of the universally recognized norms and principles of international law, another attempt of encroachment on the sovereignty of Georgia and manifestation of the policy of annexation of integral parts of territory of Georgia. After the conclusion of the so-called agreements on creation of military bases and joint protection of the so-called "borders", Russia through this step tries to completely include the occupied territories not only in its military and political, but also economic space.

The Ministry of Foreign Affairs of Georgia expresses its strong protest over these destructive actions carried out by Russia and demands to stop the occupation and annexation of integral parts of Georgia.

Tbilisi, 6 April 2010

Annex III to the identical letters dated 7 April 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia on the announcement of an open auction for awarding a State contract on construction-assemblage works of heliports on Georgia's occupied territories of Java and Akhalgori

The official website of the Russian Federation posted information on the plan to hold an open auction for awarding a State contract on construction-assemblage works of heliports on Georgia's occupied territories of Java and Akhalgori.

The Ministry of Foreign Affairs of Georgia once again focuses the international community's attention on the military build-up taking place on the Russian-occupied territories, which, apart from the creation of military bases, includes construction of military heliports, which may lead to a further violation of the Treaty on Conventional Armed Forces in Europe.

The creation and development of military infrastructure on the occupied territories represents a flagrant violation of the fundamental norms and principles of international law and the six-point ceasefire agreement. Besides, the announcement of the Russian national tender on the occupied territory of the Tskhinvali region indicates once again that Russia is an occupier, which exercises an effective control on Georgia's occupied territories. Moreover, the uncontrolled flight of military helicopters in Georgian airspace poses a threat to the security of international civil aviation, the principles of which are upheld in the framework of the International Civil Aviation Organization.

The Ministry of Foreign Affairs of Georgia expresses its strict protest over Russia's destructive actions and calls on the international community to take decisive measures in order to prevent militarization of Georgia's occupied regions, infringement of Georgia's sovereignty as well as the occupation and annexation of its integral territories.

Tbilisi, 31 March 2010

Annex IV to the identical letters dated 7 April 2010 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs on the ratification of the agreements on "joint efforts for the protection of the so-called border" between Russia and the Sokhumi and Tskhinvali proxy regimes

On 26 March 2010, the State Duma of the Russian Federation ratified the agreements on "joint efforts for the protection of the so-called border" concluded on 30 April 2009 between Russia and the Sokhumi and Tskhinvali proxy regimes.

This provocative action of the Russian Federation represents a gross violation of the fundamental norms and principles of international law, demonstrative neglect of the six-point agreement, an attempt to forcefully legitimize changes of the internationally recognized State borders of the sovereign country and yet another demonstration of the deliberate policy of annexation of the occupied territories. Any agreement concluded between an occupying country and its own proxy regimes is null and void from the standpoint of international law.

Georgia calls on the international community to give a due assessment of Russia's destructive actions and activate efforts for the prevention of the occupation and annexation of Georgia's integral territories.

Tbilisi, 26 March 2010